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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,822	02/27/2002	Shaygan Kheradpir	01-1004	6524
32127	7590	01/24/2006	EXAMINER	
VERIZON CORPORATE SERVICES GROUP INC. C/O CHRISTIAN R. ANDERSEN 600 HIDDEN RIDGE DRIVE MAILCODE HQEO3H14 IRVING, TX 75038			CHOW, MING	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/083,822

Applicant(s)

KHERADPIR ET AL.

Examiner

Ming Chow

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Allowable Subject Matter

1. Claims 3, 4, 7, 8, 11, 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art does not teach modifying the one or more rules based on the information in the first instant message. Storing the modified rules in the data network. And, transmitting information based on the modified rules to a control point in the voice network.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 5, 6, 9, 10, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gudjonsson et al (US: 6564261), and in view of Moyer et al (US: 2002/0103898).

For claims 1, 5, 9, Gudjonsson et al teach on Fig. 9 communication devices associated with a voice network and a data network.

Gudjonsson et al teach on Fig. 26, connection server (claimed “unified communication manager”).

Gudjonsson et al teach on column 9 line 8-12, SIP.

Gudjonsson et al failed to teach the SIP reads on claimed “instant message”. However, Moyer et al teach on section [0051], use SIP for instant messaging among network devices.

It would have been obvious to one skilled at the time the invention was made to modify Gudjonsson et al to have the “instant message” as taught by Moyer et al such that the modified system of Gudjonsson al would be able to support the system users conveniences of implementing the SIP for instant messages.

Gudjonsson et al teach on column 3 line 9-13, receiving users requests (claimed “first instant message”) for communication sessions and configuring how invitations are handled (reads on claimed “set one or more rules for responding to a communication attempt”).

Gudjonsson et al teach on column 3 line 14-63, how the connection is configured. Gudjonsson et al teach on column 9 line 65 to column 10 line 7, the rules are based on an invitation for text chat (reads on claimed “based on information in the first instant message”).

Gudjonsson et al teach on column 13 line 5-18, a sending user (claimed “the user”) is provided a text chat invitation (claimed “second instant message”) when the communication session do get established (reads on “the rule is established as requested” and therefore reads on claimed “notification indicating the setting of the one or more rules”).

Regarding claims 2, 6, 10, Gudjonsson et al teach on column 8 line 57-63, determining whether the user is currently online or not.

Regarding claim 16, Gudjonsson et al teach on column 15 line 60-61, forward (claimed “downloading”) the status change (claimed “code”) to the clients (claimed “at least one of the communication devices”).

3. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gudjonsson et al, and in view of Matthews et al (US: 6584122).

All rejections as stated in claims 1 and 15 above apply.

Gudjonsson et al failed to teach “receiving a.....speech processor”. However, Matthews et al teach on column 17 line 51-53, a DSP (claimed “speech processor”) in a voice network.

It would have been obvious to one skilled at the time the invention was made to modify Gudjonsson et al to have the “receiving a.....speech processor” as taught by Matthews et al such that the modified system of Gudjonsson al would be able to support the system users a reliable processor to accurately process the call from a user.

Response to Arguments

4. Applicant's arguments filed on 11/1/05 have been fully considered.

- i) Applicant argued, on page 10, regarding support of SIP was known to one skilled in the art prior to the priority date of the current application. New prior art is provided above to support the position and therefore this Office Action is set as non-final.
- ii) Applicant argues, on page 10-11, regarding Gudjonsson does not describe using instant messaging to request the setting of rules. The Examiner disagrees with the arguments. Gudjonsson teaches on column 3 line 9-13, the request for communication by the user includes configuration. Therefore, the “request” is a request to set rules (configurations).
- iii) Applicant argues, on page 11, regarding claimed “one or more rules”. The Examiner disagrees with the arguments. Both the cited “configuration” and “logic” are the claimed “one or more rules”. However, in order for Applicant to easily understand the cited reference, the Examiner removed the cited “logic” in this Office Action.
- iv) Applicant argues, on page 12-14, with the same arguments described on pages 10-12. See responses stated above.

Conclusion

5. The prior art made of record and not replied upon is considered pertinent to applicant’s disclosure.
 - Schlener et al (US: 6182157).

Art Unit: 2645

6. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to Central FAX Number 571-273-8300.

Patent Examiner

Art Unit 2645

Ming Chow

A handwritten signature in black ink, appearing to read 'Ming Chow', is written over the printed name.